

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:16-cv-52-GCM
(3:12-cr-239-GCM-DCK-6)**

TOBY HUNTER,)	
)	
Petitioner,)	
)	
vs.)	ORDER
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
_____)	

THIS MATTER is before the court on Petitioner’s “Motion for Reconsideration,” (Doc. No. 13), of the Court’s prior Order dismissing Petitioner’s 28 U.S.C. § 2255 Motion to Vacate, Set Aside, or Correct Sentence. In his motion, Petitioner states that he “ask[s] this Court to accept my request to amend, resubmit, supplement, or otherwise re-open or reconsider my 2255 motion with substantial constitutional claims.” (Doc. No. 13 at 1).

Petitioner’s Motion for Reconsideration is **DENIED**. To the extent Petitioner attempts to extrapolate or add to his claims in his prior motion to vacate, such claims amount to an unauthorized successive petition. Furthermore, to the extent that Petitioner complains that he was not allowed to file a Reply to the Government’s motion to vacate before this Court entered its order, Petitioners do not have the absolute right to file a Reply after the Government has filed a Response to a § 2255 petition.

Signed: December 28, 2017



Graham C. Mullen
United States District Judge

